

Name: MARION BRYANT  
Address: 557 E 250 So  
Clearfield, UT 84015  
Telephone: 801 390 2733

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U.S. DISTRICT COURT  
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DISTRICT OF UTAH U.S. DISTRICT COURT  
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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH - \_\_\_\_\_ DIVISION

MARION BRYANT

Plaintiff,

v.

Ceda Inc.

Defendant(s).

COMPLAINT

Case: 1:07cv00165  
Assigned To : Alba, Samuel  
Assign. Date : 12/6/2007  
Description: Bryant v Ceda Inc

A. JURISDICTION

This action is brought pursuant to Title VII of the Civil Rights Act of 1964 as amended, for employment discrimination. Jurisdiction is specifically conferred on this Court by 42 U.S.C. § 2000e(5). Equitable and other relief are also sought under 42 U.S.C. § 2000e(5)(g). Jurisdiction is also based on 28 U.S.C. 1331, 1343 and 42 U.S.C. §§ 1981 et seq. Where employment discrimination based upon age is alleged, jurisdiction is conferred by 29 U.S.C. § 627(C) (d) and appropriate relief is also sought.

B. PARTIES

1. Name of plaintiff:  
Present mailing address:

MARION BRYANT  
557 E 250 So

- Clearfield, UT  
84015
2. Name of first defendant: Ceda Inc.  
Present mailing address or  
business location: Freeport Center  
Clearfield, UT  
84116
3. Name of second defendant: \_\_\_\_\_  
Present mailing address or  
business location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Name of third defendant: \_\_\_\_\_  
Present mailing address or  
business location: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use additional sheets if necessary.)

### C. NATURE OF CASE

1. The address at which I sought employment or was employed by the defendant(s) is:  
Ceda Inc.  
Freeport Center Bld. 12  
Clearfield, UT  
84116
2. The discriminatory acts occurred on or about:  
12-1-2005?  
(Month, Day, Year)
3. I filed charges with the Anti Discrimination Division of the Utah State Industrial  
Commission regarding the defendant's discriminatory conduct on or about:  
3 20 2006?  
(Month, Day, Year)

4. I filed charges with the Equal Employment Opportunity Commission regarding the defendant's discriminatory conduct on or about:

3 20 2006 ?  
(Month, Day, Year)

5. The Equal Employment Opportunity Commission sent the attached "Notice of Right to Sue" which I received on:

8 . 22 . 2007  
(Month, Day, Year)

(Please attach the "Notice of Right to Sue" to this complaint.)

6. The discriminatory acts which are the basis of this suit are:

- a. \_\_\_\_\_ Failure to employ me  
b. x Termination of my employment  
c. x Failure to promote me  
d. \_\_\_\_\_ Other acts (Be specific: attach an additional sheet if necessary)

Defendant violated many laws under the  
labor standards Act

7. Defendant's conduct is discriminatory with respect to:

- a. x my race  
b. x my color  
c. \_\_\_\_\_ my sex  
d. \_\_\_\_\_ my religion  
e. \_\_\_\_\_ my national origin  
f. \_\_\_\_\_ my age

8. I believe that the defendant is still committing these acts against me.

x yes \_\_\_\_\_ no

only because they refuse to rehire me

#### D. CAUSE OF ACTION

1. I allege that the defendant has discriminated against me and that the following facts for the basis for my allegations:

a. (1) Count I: Discrimination

- (2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly, in your own words without citing any legal authority. Use additional sheets if necessary.)

Defendant Mike Lambert of Ceda Inc. denied me raises, promotions while granting others who was employed after me they are all white employees.

- b. (1) Count II: → violations under Labor laws

- (2) Supporting Facts:

Mike Lambert of Ceda Inc. refused to send claims after a work injury in violating workers Comp Claims.

Mike Lambert also made false accusations against me to the unemployment Agency in attempt to put me in jail or arrested on felony charges

#### E. INJURY

1. How have you been injured by the actions of the defendant(s)?

Lost of Job -  
Mental Stress, did see counselor

#### F. REQUEST FOR RELIEF

2. I believe I am entitled to the following relief:

A 50,000 IV OR what The Courts  
Rem reasonable under the law

#### DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action,

that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. § 1621

Executed at \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_.  
(Location)

Marcin Bryant  
Signature

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

**DISMISSAL AND NOTICE OF RIGHTS**

To: Marion Bryant  
557 East 250 South  
Clearfield, UT 84015

From: EEOC, Phoenix District Office  
: 3300 N Central Ave - Ste 690  
Phoenix, AZ 85012

[ ] On behalf of person(s) aggrieved whose identity  
is CONFIDENTIAL (29 CFR § 1601.7(a))

Charge No.	EEOC Representative	Telephone No.
540-2007-02758	Berta Echeveste, Supervisor	(602) 640-5034

**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

- [ ] The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- [ ] Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- [ ] The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- [ ] We cannot investigate your charge because it was not filed within the time limit required by law.
- [ ] Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- [ ] While reasonable efforts were made to locate you, we were not able to do so.
- [ ] You had 30 days to accept a reasonable settlement offer that afforded full relief for the harm you alleged.
- [ X ] The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- [ ] The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this
- [ ] Other (briefly state) \_\_\_\_\_

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS from your receipt of this Notice**; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the  
Commission



Chester V. Bailey, District Director

AUG 22 2007

(Date Mailed)

Enclosure(s)

cc: CEDA, Inc  
Squire Sanders - Meghan E Hill

Enclosure with EEOC  
Form 161-B (3/98)

**INFORMATION RELATED TO FILING SUIT  
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.  
If you also plan to sue claiming violations of State law, please be aware that time limits and other  
provisions of State law may be shorter or more limited than those described below.)*

**Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),**

**PRIVATE SUIT RIGHTS --**

**or the Age Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

**PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):**

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: backpay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/00 to 12/1/00, you should file suit before 7/1/02 -- not 12/1/02 -- in order to recover unpaid wages due for July 2000. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA backpay recovery period.

**ATTORNEY REPRESENTATION -- Title VII and the ADA:**

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

**ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:**

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

**IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.**